

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ROCK HILL DIVISION

Susan Woodard,)	C/A No.: 0:19-335-CMC-SVH
)	
Plaintiff,)	
)	
vs.)	
)	ORDER
SDH Services East,)	
)	
Defendant.)	
)	

Susan Woodard (“Plaintiff”), proceeding pro se, filed this case alleging discrimination against her former employer, SDH Services East (“SDH”). [ECF No. 1]. This matter comes before the court on SDH’s motion to amend the scheduling order and compel Plaintiff to appear at her deposition. [ECF No. 57].

Based on the current scheduling order, discovery is set to close on July 28, 2020. [See ECF No. 36, as modified by 21-day extension by the court’s Standing Order (ECF 47) on Covid-19]. On June 2, 2020, SDH properly noticed Plaintiff’s deposition to occur on July 23, 2020, at its counsel’s office in Columbia, South Carolina [ECF No. 57-1] and followed up with a reminder letter, for which counsel received proof of delivery [ECF No. 57-2]. After several text exchanges between Plaintiff and defense counsel, the deposition was canceled to reschedule for a date in August. [ECF No. 57-4]. During the

text exchanges, Plaintiff expressed potential refusal to appear for a deposition in Columbia, South Carolina. The court notes that the Federal Rules of Civil Procedure permit a party to notice a deposition within 100 miles of the deponent's residence. See Fed. R. Civ. P. 30, 45(c)(1)(A). Defense counsel's office is within 100 miles of Plaintiff's residence. Therefore, Defendant's notice of deposition was proper. The court will separately issue the amended scheduling order.

Plaintiff is advised that failure to appear for a properly-noticed deposition may result in sanctions, such as dismissal of this case for failure to participate in discovery or requiring Plaintiff to pay for costs associated with filing this motion and scheduling the deposition and any court reporter costs.

IT IS SO ORDERED.



July 27, 2020
Columbia, South Carolina

Shiva V. Hodges
United States Magistrate Judge